

Plaintiffs' Exhibit 86

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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE EASTERN DISTRICT OF VIRGINIA
3 ALEXANDRIA DIVISION

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VIDEOTAPED 30(b)(6) DEPOSITION OF
NATIONAL HIGHWAY TRAFFIC SAFETY ASSOCIATION
through the testimony of
SUSAN A. McMEEN
September 26, 2023
2:55 p.m.

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Reported by: Bonnie L. Russo

Job No. 6105353

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1 Q. Understood. So which -- and let me
2 go back and ask the question earlier again.

3 Which Google products did NHTSA
4 utilize in connection with the Safe Cars Save
5 Lives campaign?

6 MR. GROSSMAN: Objection to form.

7 THE WITNESS: It was a Google -- it
8 was the previously -- name of the DV360 prior
9 to that. I -- I don't remember offhand.

10 BY MR. GREENBAUM:

11 Q. Are you talking about DoubleClick
12 Bid Manager?

13 MR. GROSSMAN: Objection to form.

14 THE WITNESS: Because we're talking
15 2019, I would actually have to go pull the
16 actual information to be able to verify it.

17 BY MR. GREENBAUM:

18 Q. Did NHTSA stop using Google products
19 in 2019 for the Safe Cars Save Lives campaign?

20 A. I don't know exactly which year. I
21 just threw that out as a year as an example.
22 Okay. I can't -- I would have to go back in

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1 time and look at those. We have lots of
2 campaigns with a lot of different years and so
3 forth. So I would really have to go back and
4 verify that.

5 I can tell you that we have used in
6 the past for the recalls campaigns we have used
7 some of those products.

8 Q. Okay. So I will make this easy and
9 ask you --

10 A. Thank you.

11 Q. -- about the automated driver
12 assistance technology campaign.

13 Does NHTSA currently use DV360 for
14 the automated driver assistance technology
15 campaign?

16 A. So I can't -- are you -- what year
17 are you referring to?

18 Q. Currently.

19 A. 2023. I cannot speak exactly if it
20 would be used. I can just -- I would have to
21 look at the plan to know for sure.

22 Q. Okay. But at some point between

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1 2019 and 2023, NHTSA utilized DV360 for the
2 Automated Driver Assistance Technologies
3 campaign?

4 A. That's correct.

5 Q. Why did NHTSA utilize DV360 for that
6 campaign?

7 MR. GROSSMAN: Objection to form.

8 THE WITNESS: Because our ad agency
9 put together a media plan for us, and we
10 reviewed it with them and felt with their
11 recommendations that we would use that and
12 amongst other things for that -- for that
13 campaign.

14 BY MR. GREENBAUM:

15 Q. And has using DV360 for the
16 automated driver assistance technology campaign
17 help NHTSA achieve its campaign objectives in
18 between 2019 and 2023?

19 MR. GROSSMAN: Objection to form.

20 THE WITNESS: So as I mentioned,
21 you're using a span of 2019 to 2023 or 2022 I
22 believe, and I do not believe that we used

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1 DV360 in all those years. At least one of
2 those years, I know we used it. So -- but
3 because I can't tell you today what we're using
4 in 2023 exactly for that particular campaign.

5 I do know that we reviewed our
6 results, and then with the recommendation, the
7 ad agency on our behalf will make a purchase
8 for us.

9 BY MR. GREENBAUM:

10 Q. So for the year that NHTSA utilized
11 DV360 for the automated driver assistance
12 technology campaign, did DV360 help NHTSA
13 achieve its campaign objectives?

14 MR. GROSSMAN: Objection to form.

15 THE WITNESS: Again, as I mentioned,
16 when we run a campaign, then we do -- they
17 provide us a report in how well it did. I just
18 cannot recall at this moment exactly how that
19 did.

20 BY MR. GREENBAUM:

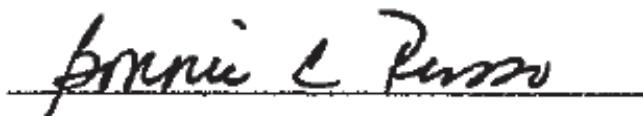
21 Q. Did -- do you recall any complaints
22 about the quality of Google's services in

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1 CERTIFICATE OF NOTARY PUBLIC

2 I, Bonnie L. Russo, the officer before
3 whom the foregoing deposition was taken, do
4 hereby certify that the witness whose testimony
5 appears in the foregoing deposition was duly
6 sworn by me; that the testimony of said witness
7 was taken by me in shorthand and thereafter
8 reduced to computerized transcription under my
9 direction; that said deposition is a true
10 record of the testimony given by said witness;
11 that I am neither counsel for, related to, nor
12 employed by any of the parties to the action in
13 which this deposition was taken; and further,
14 that I am not a relative or employee of any
15 attorney or counsel employed by the parties
16 hereto, nor financially or otherwise interested
17 in the outcome of the action.

18
19 
20

21 Notary Public in and for
22 the District of Columbia

My Commission expires: August 14, 2025

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1 United States, Et Al v. Google, LLC

2 McMeen , NHTSA 30(b) (6) (#6105353)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, McMeen , NHTSA 30(b) (6) , do hereby declare that I
5 have read the foregoing transcript, I have made any
6 corrections, additions, or changes I deemed necessary as
7 noted above to be appended hereto, and that the same is
8 a true, correct and complete transcript of the testimony
9 given by me.

10

11

12

McMeen , NHTSA 30(b) (6)

Date

13

*If notary is required

14

SUBSCRIBED AND SWORN TO BEFORE ME THIS

15

_____ DAY OF _____, 20 ____.

16

17

18

19

NOTARY PUBLIC

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21

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1 | David Grossman Esq

2 David.grossman@usdoj.gov

3 September 27th, 2023

4 RE: United States, Et Al v. Google, LLC

5 9/26/2023, McMeen, NHTSA 30(b)(6) (#6105353)

6 The above-referenced transcript is available for
7 review.

8 Within the applicable timeframe, the witness should
9 read the testimony to verify its accuracy. If there are
10 any changes, the witness should note those with the
11 reason, on the attached Errata Sheet.

12 The witness should sign the Acknowledgment of
13 Deponent and Errata and return to the deposing attorney.
14 Copies should be sent to all counsel, and to Veritext at
15 (erratas-cs@veritext.com).

17 Return completed errata within 30 days from
18 receipt of testimony.

19 If the witness fails to do so within the time
20 allotted, the transcript may be used as if signed.

21

23 Veritext Legal Solutions

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1 United States, Et Al v. Google, LLC

2 McMeen , NHTSA 30(b) (6) (#6105353)

3 E R R A T A S H E E T

4 PAGE 40 LINE 5 CHANGE Change "Youtube" to
5 "you contend"

6 REASON _____

7 PAGE 40 LINE 12 CHANGE Change "that donated
8 media" to "about donated media"

9 REASON _____

10 PAGE 45 LINE 16 CHANGE Change "who do it on
11 behalf will do" to "who do it on behalf and will
12 do"

13 REASON _____

14 PAGE _____ LINE _____ CHANGE _____

15 _____

16 REASON _____

17 PAGE _____ LINE _____ CHANGE _____

18 _____

19 REASON _____

20 PAGE _____ LINE _____ CHANGE _____

21 _____

22 REASON _____

23 _____

24 McMeen , NHTSA 30(b) (6) Date

25 _____

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2 McMeen , NHTSA 30(b) (6) (#6105353)

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5 have read the foregoing transcript, I have made any
6 corrections, additions, or changes I deemed necessary as
7 noted above to be appended hereto, and that the same is
8 a true, correct and complete transcript of the testimony
9 given by me.

10

11

Susan McMeen

10/27/23

12

McMeen , NHTSA 30(b) (6)

Date

13

*If notary is required

14

SUBSCRIBED AND SWORN TO BEFORE ME THIS

15

_____ DAY OF _____, 20 ____.

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NOTARY PUBLIC

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